

the able Chairman explains it, my question to him is would he yield as each question comes to our minds?

THE CHAIRMAN: I am not at all sure I understand what your question is, Delegate Malkus, but I will tell you the procedure that will be followed in accordance with the rules previously announced and in accordance with the debate schedule.

You have here one report of the Committee and one Minority Report. The procedure to be followed is that the Chairman of the Committee will make a general presentation of the entire article and will then answer questions pertaining to the entire article without specific reference to the various sections.

The minority spokesman will then make a similar report or presentation of the minority position. The minority spokesman will be subject to questioning in the same manner.

After that is concluded, the Chairman of the Committee will make a presentation of the first part of the article embraced within the general term "court structure" embodying sections 5.01 to 5.11. He will be available for questioning.

The minority spokesman will then present views of the minority with respect to those same sections.

We will then consider amendments to those sections. Debate will be in accordance with the debate schedule.

After that is concluded, we will follow the same procedure with respect to the next portion of the Report, Judicial Selection, Tenure and Removal, and following that again with the final portion of the article, Administration and Rule-making Power.

That is the procedure that is set out in the debate schedule which has been adopted by the Convention.

DELEGATE MALKUS: Mr. President.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: In other words, if we had a pertinent question on a point at the time it was being discussed, and we rose to ask the question, we would not be allowed to ask it at that time.

THE CHAIRMAN: You will not be allowed to interrupt the presentation either of the Committee Chairman or the minority spokesman.

There will be ample opportunity for questions upon completion of their presentations.

Delegate Malkus.

DELEGATE MALKUS: You think the procedures used by the Courts of Appeals—I have not been there as often as you have—but they ask questions at any time, on anything. Do you think their procedure, then, is wrong?

THE CHAIRMAN: I did not say that and I do not think so, but we are dealing with an entirely different situation. We have 142 delegates, not seven.

Delegate Mudd.

DELEGATE MUDD: Thank you, Mr. Chairman.

Perhaps out of order but by way of anticipating, I had visualized the audience as a jury of 142 people, not the Court of Appeals of 142 judges. But I probably stand to be corrected in the course of this presentation.

May I say preliminary, ladies and gentlemen of the Committee, that the Minority Report in its first line says that it is a Minority Report and not a dissent. To me that is significant in view of the fact that the Minority Report apparently confirms and recognizes that the situation in Maryland in the matter of court structure and the administration of justice does require improvement in order to meet the needs of our State with its increased population, more automobiles, more administrative regulations, and all of which has in many instances swamped our courts with ever-increasing caseloads. In many areas, indeed, the courts may be said to be snowed under with litigation.

Accordingly, I hope we can begin by assuming that there is a job to be done and that the minority view is not a dissent but a minority view as to how it might be done.

Committee Recommendation No. JB-1 of the Judicial Branch proposes an entire judiciary article for the new Maryland constitution. The recommendation provides the basic framework for a simplified unified court structure within which the overall administration of justice can most effectively function.

Our recommendation has been described in the press as bulky. But it was only after careful consideration that the Committee decided to make a single complete